

N1121-037  
RJJ/sav



PTO/PCT NO. 09/830,878

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
ROBERT N. BOWMAN ) Box Missing Parts  
Serial No. 09/830,878 )  
Filed: July 29, 1999 ) Attention:  
For: TRIMERIC AND POLYMERIC ) Applications Branch  
ALKALOIDS )

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to a Notification of Missing Requirements under 35 U.S.C. 371 dated August 22, 2001, response copy attached, Declarations and Powers of Attorney identifying the above-referenced application by Serial Number and Filing Date are being herewith submitted. Also attached is a check in payment of the following fees:

\$130.00	(surcharge under 37 C.F.R. 1.16(e))
<u>110.00</u>	(extension of time for one month fee)
\$ 240.00	TOTAL

11/21/2001 MNGUYEN 00000040 09830878

Please charge any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to deposit account number 02-2135.

Respectfully submitted,

By 

Robert J. Jondle, Registration No. 33,915  
Attorney for Applicants  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
555 13th Street NW, Suite 701-E  
Washington, D.C. 20004  
Telephone: (402) 333-1550

Enclosure(s): 2



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO. 09/88087	INVENTOR NAMED APPLICANT BOWMAN	ATTY. DOCKET NO. N1121-037
INTERNATIONAL APPLICATION NO. PCT/US99/17177		
FILED DATE 29 JUL 99	PRIORITY DATE 31 JUL 98	

ROBERT J JOND  
ROTHWELL FIGG ERNST & MANBECK  
555 13TH ST N W  
WASHINGTON, DC 20004

DATE MAILED

22 AUG 2001

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.  | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventor(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.   | <input type="checkbox"/> Other:  |
| <input type="checkbox"/> Priority Document.   |  |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.     |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. |  |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

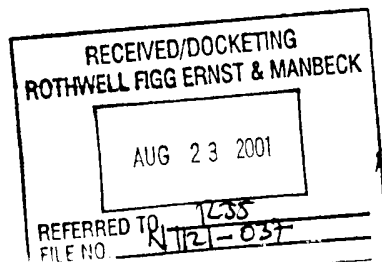
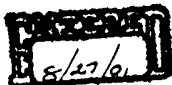
**A copy of this notice *MUST* be returned with this response.**

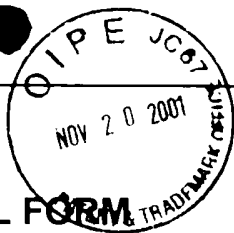
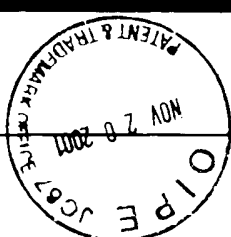
Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Paulette Kidwell, Paralegal

FORM PCT/DO/EO 905 (March 2001)

Telephone: 703-305-3656





JC07 Rec'd NOV 20 2001

**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Complete if Known


Application Number	09/830,878
Filing Date	July 29, 1999
First Named Inventor	Robert N. BOWMAN
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket Number	N1121-037

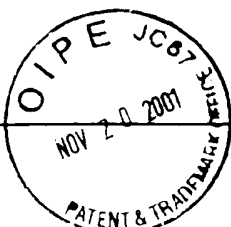
Total Number of Pages in This Submission 8

**ENCLOSURES (check all that apply)**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                    | <input type="checkbox"/> Assignment Papers  | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment/Reply  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)  | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input checked="" type="checkbox"/> Extension of Time Request                               | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below):                       |
| <input type="checkbox"/> Express Abandonment Request  | <input type="checkbox"/> Terminal Disclaimer  |  |
| <input type="checkbox"/> Information Disclosure Statement                                   | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                             | <input type="checkbox"/> CD, Number of CD(s)  |  |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application       |   |  |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.497(a) and (b) |   |  |

REMARKS:

SUBMITTED BY		Complete (if applicable)			
NAME & REG. NUMBER	Robert J. Jondle, #33,915				
SIGNATURE		DATE	November 19, 2001	DEPOSIT ACCOUNT USER ID	



**FEE TRANSMITTAL  
for FY 2001  
(Large Entity)**

		Complete if Known	
		Application Number	09/830,878
		Filing Date	July 29, 1999
		First Named Inventor	Robert N. BOWMAN
		Examiner Name	To Be Assigned
		Group Art Unit	To Be Assigned
Total Amount of Payment	(\$240)	Attorney Docket Number	N1121-037

**METHOD OF PAYMENT** (check one)

1. ☐ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status

2. ☒ Payment Enclosed: Check

**FEE CALCULATION**

**1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
101	740	Utility filing fee	[ ]
106	330	Design Filing Fee	[ ]
107	510	Plant Filing Fee	[ ]
108	740	Reissue Filing Fee	[ ]
114	160	Provisional Filing Fee	[ ]

**SUBTOTAL \$**

**2. CLAIMS**

	Extra Claims	Fee	Fee
Paid			
Total Claims	[ ] - 20** = [ ]	x \$18 =	[ ]
Independent Claims	[ ] - 3** = [ ]	x 84 =	[ ]
Multiple Dependent Claims		+ 280 =	[ ]

\*\*or number previously paid, if greater;

**SUBTOTAL \$**

**FEE CALCULATION** (continued)

**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	[ 130 ]
127	50	Surcharge - late provisional filing fee or cover sheet	[ ]
139	130	Non-English specification	[ ]
147	2,520	For filing a request for reexamination	[ ]
112	920	Requesting publication of SIR prior to Examiner action	[ ]
113	1,840*	Requesting publication of SIR after Examiner action	[ ]
115	110	Extension for reply within first month	[ 110 ]
116	400	Extension for reply within second month	[ ]
117	920	Extension for reply within third month	[ ]
118	1,440	Extension for reply within fourth month	[ ]
128	1,960	Extension for reply within fifth month	[ ]
119	320	Notice of Appeal	[ ]
120	320	Filing a brief in support of an appeal	[ ]
121	280	Request for Oral Hearing	[ ]
138	1,510	Petition to institute a public use proceeding	[ ]
140	110	Petition to revive -unavoidable	[ ]
141	1,280	Petition to revive - unintentional	[ ]
142	1,280	Utility issue fee (or reissue)	[ ]
143	460	Design issue fee	[ ]
144	620	Plant issue fee	[ ]
122	130	Petitions to the Commissioner	[ ]
123	50	Petitions related to provisional applications	[ ]
126	180	Submission of Information Disclosure Statement	[ ]
581	40	Recording each patent assignment per property (times number of properties)	[ ]
146	740	Filing a submission after final rejection (37 CFR .129(a))	[ ]
149	740	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
179	740	Request for Continued Examination (RCE)	[ ]
169	900	Request for expedited examination of a design application	[ ]

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL**

**\$240**

SUBMITTED BY		Complete (if applicable)
NAME AND REG. NUMBER	Robert J. Jondle, Ph.D Reg. No. 33,915	